

Notice of Agency Rule-making Proposal

AGENCY: Department of Environmental Protection

RULE TITLE OR SUBJECT: Chapter 594_ State Contribution to Overboard Discharge Replacement Projects

PROPOSED RULE NUMBER: (ASSIGNED BY SECRETARY OF STATE)

CONCISE SUMMARY: This proposed amendment to the existing Chapter 594 rule contains changes to make the rule consistent with recent amendments to 38 M.R.S.A. §411-A(2-A), §413(3) and §414-A(1-B). The amendments change the basis for reimbursement from property usage to annual income of the property owner for the previous year. The changes also provide reimbursement for replacements systems required by property transfers and reimbursement for system replacements required at time of relicensure. Additional changes include definitions for construction costs and property usage. Priority levels are changing and the process for developing a priority list is clarified. Eligible costs are clarified and grant percentage for multi-use properties is explained as a pro-rata share of all uses. The method of grant administration is being clarified to cover individual or town administered projects. Additional changes will clarify which documents are required for a contract, department notification before contract award, how payments will be made and clarification of inspection requirements for system installations.

THIS RULE WILL WILL NOT XX HAVE A FISCAL IMPACT ON MUNICIPALITIES.

STATUTORY AUTHORITY: M.R.S.A. § 411-A

PUBLIC HEARING: July 1, 2004 @ 1:00p.m.
Holiday Inn/Ground Round
110 Community Drive, Augusta, ME

DEADLINE FOR COMMENTS: July 16, 2004

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Comments may be submitted by mail to the Agency Contact at the address above, by fax to Richard A. Green at (207) 287-7191 or by e-mail to richard.a.green@maine.gov. To ensure consideration, comments must include your name and the organization you represent, if any. Please be aware that any risk of non-delivery associated with submission by fax or e-mail is on the sender. The proposed 'draft rule' is available on the Department's web-site at the following address:
<http://www.maine.gov/dep/blwq/rule.htm>.

Please approve bottom portion of this form and
assign appropriate MFASIS number.

APPROVED FOR PAYMENT _____ DATE: _____
Authorized signature

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